



FFA DAC #  
Box CD-RM  
PATENT

Customer No. 22,852  
Attorney Docket No. 09812.0743-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Shuki MIZUTANI, *et al.* ) Group Art Unit: Not Yet Assigned  
Application No.: 10/522,277 ) Examiner: Not Yet Assigned  
Filed: January 24, 2005 )  
For: FACTOR TAKING PART IN ) Confirmation No.: 5951  
TRANSCRIPTION CONTROL )

Mail Stop Petitions  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION  
UNDER 37 C.F.R. § 1.137(b)**

Pursuant to 37 C.F.R. § 1.137(b), Applicants petition to revive this application  
due to unintentional abandonment. This Petition is accompanied by the following :

- The reply to the Notification of Missing Requirements Under 35 U.S.C. § 371 mailed on May 13, 2005;
- The petition fee; and
- The required Statement, which begins on page 2.

03/09/2007 SZWDIE1 00000011 10522277

01 FC:1453

1500.00 OP

**I. The Entire Delay In Filing A Response To The Notification Of Missing Requirements Was Unintentional**

This application is the National Stage application of International Application No. PCT/JP0309443. Applicants' prior representative handled entry into the National Stage. On May 13, 2005, the PTO mailed a Notification of Missing Requirements which indicated that three items must be submitted 1) An oath or declaration; 2) The late oath or declaration surcharge; and 3) a copy of the Sequence Listing in computer readable form. Applicants' prior representative responded on July 5, 2005 by providing the required declaration and surcharge. Applicants' prior representative apparently did not supply a copy of the Sequence Listing in computer readable format. This application became abandoned July 14, 2005 for failure to respond within two months to the Notice of Missing Requirements.

On March 7, 2006, Applicants revoked the power of attorney of Applicants' prior representative and granted a new power of attorney to Applicants' current representative. At that time, the prior representative did not inform Applicants' current representative that a computer readable form of the Sequence Listing was required but had not been filed. A review of Applicants' file further indicates that Applicants' former representative did not notify Applicant of this deficiency. Accordingly, neither Applicant nor Applicants' new representative were aware that this application had gone abandoned and did not prepare a petition to revive the application.

Applicants' current representative first became aware that the application became abandoned when Applicants' current representative received the Notice of Abandonment mailed February 12, 2007. Upon receipt of this Notice, Applicants

expeditiously prepared this petition and supplemental response to the Notification of Missing Requirements.

Thus, the entire delay in filing a complete response to the Notification of Missing Requirements was unintentional.

## **II. Conclusion**

Applicants respectfully request the revival of this application.

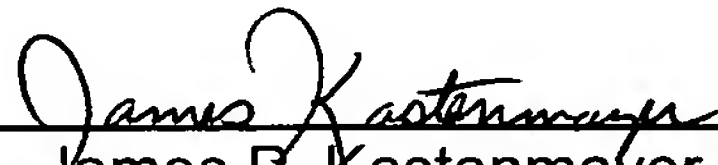
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 8, 2007

By: \_\_\_\_\_

  
James P. Kastenmayer  
Reg. No. 51,862